

Pursuant to L.R. 7.1(b)(3), Defendants ImStem Biotechnology, Inc., Xiaofang Wang, and Ren-He Xu (collectively, “ImStem” or “Defendants”) respectfully request leave to file a 7-page Reply to Plaintiffs’ Opposition to Defendants’ Motion for Leave to File Amended Counterclaims (Dkt. 75), within 72 hours of this Court ruling on the instant Motion. Plaintiffs oppose such leave.

1. Excerpts of the June 18, 2019 deposition of Erin Kimbrel;
2. Excerpts of the June 24, deposition of Nicholas Kouris;
3. Excerpts of the July 2, 2019 deposition of Jianlin Chu;

4. Excerpts of the July 29, 2019 deposition of Xiaofang Wang;
5. Five or fewer Astellas internal emails and their attachments; and
6. Excerpts from Plaintiffs' July 29, 2019 Privilege Log.

Pursuant to L.R. 7.2(a), Defendants believe the materials can and should be de-designated and published immediately, but in the interest of speed proposes that the reply brief be kept under seal through trial. *Cf.* Protective Order (Dkt. 55) at 7, §3(b) (burden is on designating party).

Defendants likewise request leave to publicly file a redacted version of the reply brief, redacting the exhibits and discussion of Confidential and Highly Confidential information.

Counsel for Plaintiffs has indicated that, in the event the Court grants Defendants leave to file a reply brief, Plaintiffs do not oppose placing confidential portions of that brief and exhibits under seal.

**WHEREFORE**, for the reasons set forth more fully in the concurrently-filed Memorandum, Defendants respectfully request the Court grant their Motion for Leave to File a Reply Brief and for Leave to File Documents Under Seal.

Dated: August 1, 2019

Respectfully submitted,

IMSTEM BIOTECHNOLOGY, INC., REN-  
HE XU and XIAOFANG WANG,

By their Attorneys,

/s/ Timothy Shannon

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**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1**

I hereby certify that, on August 1, 2019, counsel for Defendants conferred with Counsel for Plaintiffs in a good faith effort to narrow or resolve the issues raised in the instant motion. Counsel for Plaintiffs indicated that (i) Plaintiffs oppose the Defendants' request to file a reply brief; and (ii) in the event the Court grants the Defendants leave to file a reply brief, Plaintiffs do not oppose placing confidential portions of that brief and exhibits under seal.

Dated: August 1, 2019

/s/ Timothy R. Shannon  
Timothy R. Shannon

**CERTIFICATE OF SERVICE**

I hereby certify that I caused this document to be filed through the CM/ECF system, to be sent electronically to the registered participants, and paper copies to be sent to those indicated as nonregistered participants on the date below.

Dated: August 1, 2019

/s/ Timothy R. Shannon  
Timothy R. Shannon